REMARKS

This Application has been carefully reviewed in light of the Official Action mailed May 16, 2006. In order to advance prosecution of this Application, Claims 1, 11, 13-16, 26, 28-30, 95, 98, and 101 have been amended and Claims 12 and 27 have been canceled without prejudice or disclaimer. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 1, 16, and 101 are rejected under 35 U.S.C. §102(b) as being anticipated by Boyle. Independent Claims 1, 16, and 101 recite in general an ability to re-allocating the cache storage of the content among the peers in the cache community in response to allowing the client to join the community. By contrast, the Boyle patent merely discloses the use of a group look-up table that can be used to distribute a requested data item to a requesting client in the group. The Boyle patent does not disclose a capability to re-allocate the cache storage of content upon adding a new client to a community as provided by the claimed invention. Thus, the Boyle patent only provides disclosure for distribution of requested data but not how to allocate the cache storage of data as provided in the claimed invention. Support for the above recitation can be found at page 44, lines 13-19, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1, 16, and 101 are not anticipated by the Boyle patent.

Claims 95-100 and 105 are rejected under 35 U.S.C. § 102(e) as being anticipated by Maggenti, et al. Independent Claims 95, 98, and 105 recite in general an ability to receive content allocated for storage in caches of peers in the peer list for cache storage re-allocation in response to joining the selected one of the communities and provide content for cache storage re-allocation to peers in the peer list in

response to joining the selected one of the communities. By contrast, the Maggenti, et al. patent merely discloses a communication manager for distribution of data packets in general to communication devices and does not provide for cache storage re-allocation upon joining a community as required in the claimed invention. Support for the above recitation can be found at page 44, lines 13-19, of Applicants specification. Therefore, Applicant respectfully submits that Claims 95-100 and 105 are not anticipated by the Maggenti, et al. patent.

Claims 2-15 and 17-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Boyle in view of Maggenti, et al. Independent Claim 1, from which Claims 2-15 depend, and Independent Claim 16, from which Claims 17-30 depend, have been shown above to be patentably distinct from the Boyle patent. Moreover, the Maggenti, et al. patent does not include any additional disclosure combinable with the Boyle patent that would be material to patentability of these claims. Therefore, Applicant respectfully submit s that Claims 2-15 and 17-30 are patentably distinct over the proposed Boyle - Maggenti, et al. combination.

CONCLUSION

Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any required fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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